

ANALYSIS OF LAW ENFORCEMENT AGAINST PERPETRATORS OF FRAUD RELATED TO COAL MINING COOPERATION (DECISION STUDY NUMBER: 595/Pid.B/2024/PN TJK)

S. Endang Prasetyawati¹, Ahmad Mahardika Hidayah Rofi^{2*}

^{1,2}Faculty of Law, Universitas Bandar Lampung, Indonesia

E-mail: s.endang@ubl.ac.id¹ ; ahmadmahardika226@gmail.com^{2*}

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Abstract

This study seeks to examine the elements that lead individuals to engage in fraud associated with coal mining partnerships and to evaluate the legal actions taken against these offenders as per Decision Number 595/Pid.B/2024/PN TJK. The study employs a normative legal and empirical legal methodology characterized by a descriptive research specification. Data were acquired through a literature review, analysis of court rulings, and interviews with investigators from Polresta Bandar Lampung, prosecutors from the Bandar Lampung District Attorney's Office, and judges from the Class IA Tanjung Karang District Court. Qualitative data analysis was performed utilizing the Crime Causation Theory as proposed by Topo Santoso and the Law Enforcement Theory as articulated by Satjipto Rahardjo. The findings indicate that the offense of fraud is affected by personal factors, economic conditions, social contextual influences, opportunity variables, and inadequate oversight, with personal factors being the most significant. Law enforcement in this instance has been executed via the phases of inquiry, prosecution, judicial review, and the delivery of a judgment in alignment with the criminal justice system's framework. According to Decision Number 595/Pid.B/2024/PN TJK, the accused was adjudged legally and convincingly culpable of perpetrating fraud as delineated in Article 378 of the Criminal Code and received a term of three years' imprisonment. This study determines that law enforcement has achieved legal clarity, justice, and utility; nonetheless, the restitution of the victim's material losses necessitates additional legal frameworks in compliance with statutory provisions.

Keywords: Law Enforcement, Fraud, Coal Mining Cooperation, Court Decisions.

INTRODUCTION

Indonesia is a state of law as affirmed in Article 1 paragraph (3) of the 1945 Constitution. As a rule of law state, Indonesia is committed to achieving national goals, namely protecting all people and territory, improving general welfare, educating the nation's life, and contributing to the realization of a just world peace. This shows the state's responsibility to uphold justice for all citizens through the law. The development of the times brings changes in people's lives that have both positive and negative impacts, including the increase in criminal acts. As a rule of law country, Indonesia guarantees the protection of its citizens through legislation to prevent and address legal violations. However, there are still members of society who disregard religious norms, decency, politeness, and the law, which becomes one of the driving factors for the occurrence of criminal acts.

A criminal act is a designation in Indonesian criminal law for an action that is forbidden by legislation and subject to punitive measures. In numerous legal texts, the phrase criminal act is frequently denoted as a delict, criminal act, or criminal event, originating from the Dutch term *strafbaar feit* and recognized in English as a criminal act. The Draft Penal Code articulates that a criminal act is defined as an action or inaction that contravenes legal prohibitions and is subject to punitive measures.

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the category of property crimes regulated in Chapter XXV of the Criminal Code (KUHP). The provisions regarding this offense are specifically regulated in Articles 378 to 395 of the KUHP, indicating that its regulation is broader compared to several other forms of property crimes.

Fraud is a quintessential offence in criminal jurisprudence that frequently transpires within economic and social interactions. Fraud may transpire when an individual deliberately employs deception, a sequence of untruths, or a fabricated identity to get another person to erroneously relinquish something, resulting in tangible detriment to the victim. In Indonesian criminal law, fraud is specifically governed by Article 378 of the Criminal Code (KUHP), which mandates the presence of the perpetrator's intent (*mens rea*) to unlawfully gain advantage and using deceptive means to mislead the victim.

Based on the 2024 Criminal Statistics Publication published by the Central Bureau of Statistics (BPS) based on data from the Indonesian National Police, the number of fraud/deceitful acts increased from 34,578 cases in 2022 to 48,609 cases in 2023. The data shows that fraud remains one of the most prevalent forms of crime in Indonesia and requires effective law enforcement.

The increase in economic activity has also expanded legal relationships based on trust. However, this trust is often misused as a means to commit fraud, resulting in losses for other parties. Therefore, fraud remains one of the important legal issues to study. The development of economic activity has enhanced legal relationships based on trust between parties. However, this trust is often exploited to commit fraud, causing losses, making law enforcement against this crime an important issue to examine.

The development of technology has expanded the forms of fraud, so the legal approach to fraud is no longer limited to conventional methods, but must also be able to anticipate various forms of fraud that evolve with technological advancements and societal interaction patterns. The high rate of fraud is influenced by the increasing opportunities to commit crimes, the advancement of technology, and the weakness of protection and supervision mechanisms. Therefore, efforts to combat fraud do not only rely on law enforcement but also on strengthening prevention systems.

Victims of fraud generally only realize the deception after suffering a loss. The perpetrator first builds trust through convincing communication so that the victim does not realize the deception at the early stage of the transaction. The risk of becoming a victim of fraud is influenced by individual characteristics, financial knowledge level, and the relationship that has been established between the victim and the party offering the investment. These conditions show that trust is one of the important factors in the occurrence of investment fraud.

The experience of being a victim of fraud affects the investment behavior of the community. Individuals who have experienced fraud tend to reduce risky investments due to a decrease in trust in the offered investment schemes. Modern investment fraud develops through the abuse of the trust relationship between the perpetrator and the victim. The perpetrator first builds the victim's trust through convincing communication before pushing the victim to gradually hand over funds until they ultimately suffer significant losses.

The coal mining sector plays an important role in the national economy as a source of energy and an export commodity. However, behind its contributions, this sector also faces various legal issues, particularly related to fraudulent practices in mining activities. Fraudulent actions (*bedrog*) in mining can include data manipulation, document forgery, abuse of permits, and embezzlement of royalties, which harm the state, business operators, and the community. Legally, such actions can be classified as fraud, forgery, or embezzlement.

Although regulated by legislation, law enforcement in the mining sector still faces obstacles such as weak supervision and difficulty in proving cases, leading to frequent occurrences of fraudulent practices. Law enforcement is not only oriented toward imposing criminal sanctions but also must consider the effectiveness of the judicial system in preventing the recurrence of criminal acts through an approach focused on justice and the rehabilitation of offenders.

The issue is reflected in the Tanjung Karang District Court Decision Number 595/Pid.B/2024/PN Tjk. In the case, the defendant Handy Anggryan Bin Yongky offered the victim a coal mining investment partnership in East Kalimantan with an investment value of Rp3,000,000,000.00. To convince the victim, the defendant showed documentation of mining activities, stated that the business was already operational, and promised a profit of five percent per month with a return on investment within three months. Based on their belief in that information, the victim then signed a cooperation agreement and transferred the investment funds to the defendant. As a form of guarantee, the defendant handed over a Bank BNI check worth Rp3,150,000,000.00, which was claimed to be redeemable upon maturity. However, after the promised period ended, the victim did not receive any profit or return on investment as promised. The defendant then provided various reasons for the failure of the mining business and replaced the previous check with a new check worth Rp3,000,000,000.00. When the victim attempted

to cash the check, the bank stated that the defendant's account balance was insufficient, so the check could not be cashed. It was later discovered that the mining business that was offered never actually existed, and the investment funds had been used by the defendant for personal purposes. As a result of the actions, the victim suffered a loss of Rp3,000,000,000.00, and the case was subsequently processed through the criminal justice system.

The facts revealed in the trial show that the defendant's actions fulfill the elements of the crime of fraud as regulated in Article 378 of the Criminal Code. The element of intent to unlawfully benefit oneself is evident from the defendant's aim to obtain investment funds without having a mining business as promised. The element of deceit and a series of lies were proven through the delivery of false information regarding the existence of a mining business, the provision of guarantees in the form of checks that could not be cashed, and various statements aimed at maintaining the victim's trust. Furthermore, there is a causal relationship between the series of lies and the victim's investment fund transfer, thus fulfilling all elements of the crime of fraud and providing the basis for the judge to declare the defendant guilty of committing fraud.

In the perspective of law enforcement, the resolution of criminal cases is not only aimed at proving the fulfillment of the elements of the crime but also ensuring that the entire legal process runs in accordance with the principles of justice, legal certainty, and utility. Satjipto Rahardjo explains that law enforcement is the process of turning legal ideas into reality through the actions of law enforcement officers. Thus, the success of law enforcement is not solely measured by the imposition of penalties on the perpetrators, but also by the ability of law enforcement officers to provide protection to victims, ensure legal certainty, and realize a sense of justice for the community. In this case, the process of investigation, prosecution, trial examination, and the judge's verdict becomes an important series to be examined in order to assess whether law enforcement has been carried out in accordance with the expected legal objectives.

On the other hand, the crime of fraud cannot be understood solely from a legal aspect. The crime is influenced by various factors that underlie the perpetrator's behavior. Topo Santoso explains that crime is a social phenomenon influenced by various factors, including individual factors, economic factors, social environmental factors, opportunity factors, and weak supervision. This theory is relevant for analyzing the reasons behind the defendant's commission of fraud in this case, considering that the crime was carried out through planning that exploited trust relationships, the opportunity to gain significant profits, and the weak oversight mechanisms regarding the investment activities offered to the victims. Thus, analyzing the factors causing the crime not only provides an understanding of the perpetrator's motives but also serves as a basis for formulating preventive measures to ensure that similar crimes do not occur again.

Research on fraud crimes generally still focuses on proving the elements of the crime, the criminal liability of the perpetrator, and the judge's considerations in delivering a verdict. Meanwhile, research that simultaneously examines the factors causing fraud from a criminological perspective and the effectiveness of law enforcement in cases of fictitious investment fraud in the mining sector is still relatively limited. However, these two aspects are closely related because the success of law enforcement is not only determined by the application of legal norms but also by the understanding of the factors underlying the occurrence of criminal acts.

Based on the aforementioned explanation, research on the Analysis of Law Enforcement against Perpetrators of Fraud Related to Coal Mining Cooperation (Study of Decision Number 595/Pid.B/2024/PN TJK) becomes important to conduct. This research is expected to contribute to the development of criminal law, particularly regarding the analysis of the factors causing the occurrence of fraud based on Topo Santoso's Crime Causation Theory and the analysis of law enforcement based on Satjipto Rahardjo's Law Enforcement Theory. In addition, this research is expected to serve as an evaluation material for law enforcement officers in improving the effectiveness of handling fraud cases, thereby providing legal protection, legal certainty, and justice for the community.

METHOD

This study employs a normative legal and empirical legal methodology. The normative approach involves the examination of laws, regulations, doctrines, theories, judicial rulings, and pertinent literature, whereas the empirical approach entails interviews with investigators from the Bandar Lampung Police, public prosecutors from the Bandar Lampung District Attorney's Office, and judges from the Class IA Tanjung Karang District Court. The used data comprises both primary and secondary sources. Primary data is acquired via interviews with three informants chosen through purposive sampling (investigator, prosecutor, and judge). Secondary data is acquired through a literature review, encompassing primary, secondary, and tertiary legal sources. Data acquisition was conducted by library investigation and empirical study. Library investigation encompassed the examination of

regulations, rulings, literature, and periodicals, while field research was performed via observation and unstructured interviews. Data undergoes qualitative analysis via the procedures of editing, coding, and systematization, after which conclusions are derived using the deductive approach, moving from general principles to specific inferences.

RESULTS AND DISCUSSION

Factors Causing the Perpetrator to Commit the Criminal Act of Fraud Related to Coal Mining Cooperation Based on Decision Number 595/Pid.B/2024/PN TJK

Based on the research conducted through the analysis of Decision Number 595/Pid.B/2024/PN TJK and interviews with law enforcement officers handling the case, it is known that the criminal act of fraud in coal mining cooperation is influenced by several factors. These factors were obtained from the perspectives of the Investigator of Polresta Bandar Lampung, the Public Prosecutor of the Bandar Lampung District Attorney's Office, and the Panel of Judges of the Class IA Tanjung Karang District Court. Each informant has a different perspective according to their duties and authority within the criminal justice system. Therefore, the discussion regarding the factors causing the crime of fraud in this research is based on the results of interviews with each informant.

Based on the interview results with Mrs. Eka Dianti as the Investigator of the Tipidter Unit of the Criminal Investigation Department of the Bandar Lampung Police, it was obtained that there are two main factors causing the defendant to commit fraud in the coal mining cooperation, namely individual factors and economic factors. According to her, the two factors are interconnected and form the basis for the commission of the crime as revealed in the investigation process.

a. Individual Factors

Mrs. Eka Dianti explained that individual factors are the most dominant factor in this case. Based on the investigation results, it was found that the defendant was the first party to contact the victim to offer a coal mining investment partnership in East Kalimantan. In an effort to convince the victim, the defendant showed a video recording of mining activities, explained that the business was running well, and promised a profit of 5% per month with an investment period of three months. After the victim believed the offer, both parties signed a cooperation agreement, and the victim handed over an investment fund of Rp3,000,000,000.00 to the defendant. However, based on the investigation results, it was found that the information provided by the defendant did not match the actual situation. The defendant did not fulfill their obligations as promised, and even provided various excuses when the victim requested the return of their capital and profits.

Based on these facts, the investigator believes that the crime of fraud occurred due to the defendant's intention and awareness to gain profit by providing a series of lies to the victim. This indicates that individual factors play a significant role in the occurrence of fraud. The investigator's opinion aligns with the crime causation theory proposed by Topo Santoso, which states that criminal behavior can be influenced by internal factors originating from the perpetrator. In this case, the defendant consciously planned, offered, and convinced the victim with false information, causing the victim to hand over a sum of money to him. Thus, individual factors become the most dominant factor in the occurrence of the crime of fraud.

b. Economic Factors

In addition to individual factors, Mrs. Eka Dianti also explained that economic factors contributed to the defendant committing the crime of fraud. Based on the investigation results, it was found that the investment funds received by the defendant were not used for the intended purpose of the cooperation, but rather for personal interests, including paying off his debts. This fact was further strengthened when the defendant handed over a check as a guarantee for the return of funds to the victim, but when the check was cashed, it was rejected by the bank because the defendant's account balance was insufficient. After that, the defendant could no longer be contacted by the victim, leading to the discovery that the investment funds had been completely used for purposes outside the mining business.

According to the investigator, the condition indicates that the economic pressure experienced by the defendant is one of the factors that drove him to maintain control over the victim's funds. The economic factor does not stand alone, but rather reinforces the individual factors that had previously prompted the defendant to commit the fraudulent act. The economic factor in this case is not the main cause, but rather serves as a driving force that strengthens the defendant's intention to commit the crime. This shows that economic difficulties can be one of the triggers for someone to commit a crime if not balanced with legal awareness and moral responsibility.

Based on the interview results with Mrs. Desiyana, the Public Prosecutor at the Bandar Lampung District Attorney's Office, it is known that there are two factors that caused the defendant to commit the crime of fraud,

namely social environment factors and opportunity factors. According to the Public Prosecutor, these two factors were revealed during the trial process through witness testimonies, documentary evidence, and facts that emerged in the trial.

a. Social Environmental Factors

Based on the evidentiary construction built by the Public Prosecutor, it is known that the relationship between the defendant and the victim is not a relationship between two people who have just met, but rather one that has been established previously through socializing as fellow enthusiasts of the black-crowned night heron. That relationship became the basis for the victim's trust in every piece of information conveyed by the defendant. The Public Prosecutor also proved that the defendant exploited that closeness to offer a coal mining business partnership in East Kalimantan, promising a profit of 5% per month, which led the victim to hand over an investment fund of Rp3,000,000,000.00.

In the process of proving in court, the Public Prosecutor presented evidence in the form of a cooperation agreement letter, proof of fund transfer, and witness statements that were consistent regarding the relationship between the victim and the defendant before the money was handed over. The fact shows that the defendant did not use coercion or threats, but rather took advantage of the established social relationship to gain the victim's trust. That trust was then used as a means to convince the victim that the mining business being offered truly existed and was capable of providing the promised profits.

Based on the description, it can be understood that the social environment is one of the factors that encourages the occurrence of fraud in this case. The previously established friendship provided the defendant with the opportunity to gain the victim's trust without raising suspicion, allowing the investment offer process to proceed smoothly. In the perspective of criminology, this condition aligns with the differential association theory, which emphasizes that close social interactions can serve as a means for the formation of deviant behavior, including the abuse of trust in social relationships.

b. Opportunity Factor

In addition to the social environment factor, the prosecution's evidentiary construction also indicates the presence of an opportunity factor that the defendant exploited to commit the crime of fraud. The opportunity arose when the victim had the financial capability as a prospective investor and showed interest in the coal mining business partnership offer presented by the defendant. Seeing the situation, the defendant provided various information about the mining business, showed videos of mining activities, promised periodic profits, and handed over a check as a form of capital return guarantee to further convince the victim to invest.

The facts presented by the Public Prosecutor also show that after the victim handed over the investment funds, the defendant never took the victim to see the promised mining location despite several requests. The defendant only provided various excuses and kept postponing the request until it was eventually discovered that the promised mining operation could never be proven to exist. On the other hand, the promised profits were never paid, and the check given as a guarantee for the refund was rejected by the bank because the defendant's account balance was insufficient. This series of circumstances shows that the defendant took advantage of the opportunity from the beginning to maintain control over the victim's funds.

Based on the description, it can be understood that the opportunity possessed by the defendant did not arise on its own, but was formed due to the victim's trust, minimal verification of the offered business, and the victim's belief in the guarantees provided by the defendant. The entire situation was maximally exploited by the defendant to carry out their actions, resulting in the victim suffering a significant loss. In the perspective of criminology, this aligns with the opportunity theory, which explains that crime can occur when there are supporting situations, suitable targets, and a lack of adequate supervision, thus providing the perpetrator with the space to commit unlawful acts.

Based on the interview results with Mr. Dedi Wijaya Susanto as the Judge of the Class IA Tanjung Karang District Court, it is known that the most influential factor in this case is the weak supervision of the implementation of the investment cooperation.

a. Weak Supervision Factor

The panel of judges explained that the criminal act of fraud in this case began with a series of actions by the defendant who offered a coal mining business partnership to the victim, until the victim eventually handed over a large investment amount. In the process, the victim essentially trusted all the information provided by the defendant without conducting a thorough examination or verification of the existence of the offered mining business or the defendant's ability to fulfill the terms of the cooperation agreement. This condition indicates that

from the beginning, there was no adequate oversight mechanism from the victim regarding the investment object offered by the defendant.

Furthermore, the Panel of Judges also explained that after the investment funds were received, the defendant did not fulfill their obligations as promised. The defendant did not provide the promised profits, and even offered various excuses when the victim requested a refund of the investment. As a form of unfulfilled responsibility, the defendant then issued a check as a guarantee for the return of funds, but when it was cashed, the check could not be encashed due to insufficient account balance. This fact reinforces that there was no effective oversight of the use of the investment funds that had been entrusted to the defendant.

Based on the description, the author believes that the weak supervision is an important factor that contributes to the occurrence of fraud in this case. In the context of investment cooperation agreements, supervision plays a crucial role in ensuring that each party fulfills their rights and obligations in accordance with the agreement. Without adequate supervision, the implementation of the agreement becomes vulnerable to being misused by one party with bad intentions.

When linked to the theory of supervision in contract law and the prevention of economic crime, supervision functions as a control instrument to minimize the risk of deviations in the execution of an agreement. The weakness of supervision in this case indicates the failure of the control mechanism, both at the pre-contractual stage and the post-contractual stage. As a result, the defendant had the freedom to control and use the investment funds without immediate detection, allowing the fraudulent activities to continue and causing significant losses to the victims.

Based on the results of interviews with the three informants, it was found that there are differing perspectives regarding the factors causing the occurrence of fraud. The investigator places more emphasis on factors originating from the perpetrator themselves, namely individual factors and economic factors. The Public Prosecutor views that the social relationship between the perpetrator and the victim, as well as the opportunity exploited by the perpetrator, are factors that facilitate the occurrence of the crime. Meanwhile, the Panel of Judges assessed that the weak supervision of the investment cooperation implementation provided an opportunity for the defendant to misappropriate the funds he had received.

Although having different perspectives, the three opinions complement each other and show that the fraud in this case is not caused by a single factor. Crime occurs as a result of the interaction of various factors that influence each other, ranging from the internal factors of the perpetrator, economic conditions, social relationships, available opportunities, to weak supervision. Therefore, the theory of crime causation factors proposed by Topo Santoso is relevant to use as an analytical tool because it can explain that a criminal act is generally the result of the combination of several factors working simultaneously.

Law Enforcement of Fraud Crimes Related to Coal Mining Cooperation Based on Decision Number 595/Pid.B/2024/PN TJK

Law enforcement is a series of processes aimed at realizing legal provisions through the actions of law enforcement officers to create legal certainty, justice, and benefits for society. In the case of fraud related to coal mining cooperation based on Decision Number 595/Pid.B/2024/PN TJK, the law enforcement process is carried out through stages of investigation, prosecution, trial examination, and the imposition of a verdict by the Panel of Judges. To determine the effectiveness of this process, this research analyzes each stage based on the Law Enforcement Theory proposed by Satjipto Rahardjo.

a. Investigation

The investigation stage is the initial process of law enforcement aimed at uncovering legal facts and gathering evidence to determine whether a crime has been committed or not. Based on the research findings, the investigation in this case was conducted by the Tipidter Unit Investigator of the Satreskrim Polresta Bandar Lampung after receiving a report from the victim regarding the alleged fraud in a coal mining business partnership.

The results of the interview with Mrs. Eka Dianti, as the Investigator of the Tipidter Unit of the Criminal Investigation Unit of the Bandar Lampung Police, indicate that the investigation was conducted through examinations of the victim, witnesses, and the accused, along with the collection of various pieces of evidence related to the criminal act. The evidence successfully collected includes a cooperation agreement, proof of an investment fund transfer amounting to IDR 3,000,000,000.00, bank statements, a statement letter, a BNI Bank check, and a bank statement indicating that the check could not be cashed due to insufficient funds in the defendant's account. In addition, the investigator also obtained the fact that the victim was never shown the mining location as promised by the defendant.

Based on the results of the investigation, it was found that the obtained evidence is interconnected and capable of forming a proof construction regarding the use of deceit to persuade the victim to hand over investment funds. The consistency between witness testimonies, the defendant's statements, documentary evidence, and transaction evidence serves as the basis for the investigator to conclude that the case meets the elements of the crime of fraud and is suitable for referral to the Public Prosecutor.

The investigation process in this case has reflected the implementation of professional and systematic law enforcement. The investigator not only collects evidence but also establishes a logical relationship between legal facts and the elements of the crime as regulated in Article 378 of the Criminal Code. This stage demonstrates that the investigation serves as the main foundation in the criminal justice process because it determines the direction of proof in the subsequent stages.

b. Prosecution

After the case file is declared complete (P-21), the law enforcement process continues to the prosecution stage by the Public Prosecutor of the Bandar Lampung District Attorney's Office. This stage aims to prepare the indictment based on the investigation results and prove the indictment in court. Based on the interview with Mrs. Desiyana, the Public Prosecutor at the Bandar Lampung District Attorney's Office, it is known that the prosecution was carried out using alternative charges, namely Article 378 of the Criminal Code regarding fraud and Article 372 of the Criminal Code regarding embezzlement. This form of indictment was chosen to provide the panel of judges with the space to assess the article that best fits the legal facts revealed during the trial.

In the process of proving the case, the Public Prosecutor presented the victim, witnesses, the defendant's statement, as well as documentary evidence in the form of a cooperation agreement, proof of fund transfers, bank statements, statements, addendum letters, BNI Bank checks, and account balance statements. All of this evidence is consistent and shows the relationship between the cooperation offer, the transfer of investment funds, the use of funds for personal interests, and the defendant's failure to fulfill the obligations as agreed.

The prosecution process in this case has demonstrated the effective execution of prosecutorial functions. The Public Prosecutor successfully constructed a comprehensive proof structure by connecting witness testimonies, documentary evidence, and physical evidence, thereby legally proving the elements of the fraud offense in court.

c. Examination in Court

The examination in court is a stage to test all pieces of evidence and to obtain the judge's conviction regarding the proven or unproven nature of the alleged crime. Based on the research findings, the examination is conducted openly by hearing witness testimonies, examining the defendant, reviewing documentary evidence, and providing the defendant with the opportunity to present their defense.

The results of the interview with Mr. Dedi Wijaya Susanto as the Panel of Judges of the Class IA Tanjung Karang District Court show that the Panel of Judges conducted a thorough assessment of all pieces of evidence without relying solely on one type of proof. The victim's testimony regarding the investment offer process, the transfer of funds, and the non-fulfillment of the agreement was reinforced by other witnesses' testimonies and documentary evidence submitted by the Public Prosecutor.

The panel of judges also noted that the defendant acknowledged the existence of a cooperative relationship with the victim and confirmed most of the evidence presented during the trial. The consistency between the witness testimonies, the defendant's statements, the evidence, and the transaction documents serves as the basis for the panel of judges to gain confidence in the fulfillment of the elements of the fraud crime. The examination in the trial has been conducted in accordance with the principle of due process of law because all pieces of evidence were tested objectively and contradictorily. The process provides each party with an equal opportunity to present their statements, ensuring that the decision rendered is based on legal facts that have been tested in court.

d. Judge's Decision

The final stage in the law enforcement process is the pronouncement of a verdict by the panel of judges based on all the facts revealed in the trial. Based on the research results, the panel of judges stated that the elements of Article 378 of the Criminal Code have been proven legally and convincingly, thus the defendant was found guilty of committing fraud.

In its considerations, the Panel of Judges concluded that the defendant gained benefits through a series of lies, including offers of coal mining business cooperation, promises of investment returns, and the provision of checks as guarantees that ultimately could not be cashed. In addition to considering the evidence presented, the panel of judges also took into account the aggravating and mitigating circumstances before determining the type and duration of the sentence.

The panel of judges ultimately sentenced the defendant to 3 (three) years in prison. The verdict was lighter than the Public Prosecutor's demand of 3 (three) years and 6 (six) months because the panel of judges considered that the defendant admitted his actions, behaved politely during the trial, and had never been convicted before. The verdict has reflected the application of objective and proportional law. The panel of judges not only considered the interests of the victim but also took into account the rights of the defendant as part of the principle of individualized sentencing.

e. Objectives of Law Enforcement

The success of law enforcement is not only measured by the imposition of penalties on the perpetrators but also by the achievement of legal objectives such as legal certainty, justice, and utility. Based on the research results, these three objectives have essentially been reflected in Decision Number 595/Pid.B/2024/PN TJK.

From the aspect of legal certainty, the decision has provided clarity regarding the legal status of the defendant through the application of Article 378 of the Criminal Code based on valid and convincing evidence. From the aspect of justice, the judicial process provides a balanced opportunity for both the victim and the defendant to present their statements, while from the aspect of utility, the sentencing of the defendant is expected to serve as a deterrent and a warning to the public to be more cautious in business collaborations and investments. However, research results show that the criminal verdict has not been able to restore the material losses suffered by the victim amounting to Rp3,000,000,000.00. The recovery of those losses still requires another legal mechanism in accordance with the applicable laws and regulations.

Law enforcement in this case has fulfilled the legal objectives as stated by Satjipto Rahardjo because it is able to provide legal certainty regarding the defendant's criminal status, realize justice through an objective judicial process, and bring legal benefits to society through preventive and repressive effects. However, protection for victims still needs to be optimized through mechanisms for restitution so that the goals of law enforcement are not only oriented toward punishing the perpetrator but also toward restoring the victims' rights.

Based on the research findings, it can be concluded that law enforcement against the crime of fraud in Decision Number 595/Pid.B/2024/PN TJK has been carried out through the stages of investigation, prosecution, trial examination, and sentencing in accordance with the criminal justice system mechanism. Based on Satjipto Rahardjo's Law Enforcement Theory, the process has reflected the achievement of legal certainty, justice, and utility through legitimate proof, resulting in the defendant being found guilty of violating Article 378 of the Criminal Code and sentenced to 3 (three) years in prison. However, the verdict has not directly restored the victim's material losses, so the restoration of the victim's rights still requires other legal mechanisms in accordance with the provisions of the legislation.

CONCLUSIONS

Based on the research findings, it is known that the fraud related to coal mining cooperation in Decision Number 595/Pid.B/2024/PN TJK is influenced by several factors, namely individual factors, economic factors, social environmental factors, opportunity factors, and weak supervision factors. Among these factors, the individual factor is the most dominant because the defendant consciously planned and executed a series of lies to gain personal benefit. This finding is in line with the Crime Causation Theory according to Topo Santoso, which explains that crime is the result of the interaction of various internal and external factors.

Law enforcement against the crime of fraud in the case has been carried out in accordance with the criminal justice system mechanism through the stages of investigation, prosecution, trial examination, and the imposition of a verdict by the panel of judges. Based on the Law Enforcement Theory according to Satjipto Rahardjo, the process has realized legal certainty, justice, and utility through legitimate proof, resulting in the defendant being found guilty of committing fraud and sentenced to 3 (three) years in prison. However, the recovery of the victim's material losses still requires another legal mechanism in accordance with the provisions of the legislation.

RECOMMENDATIONS

The public is expected to be more cautious in business collaborations by ensuring the legality and credibility of the parties involved before investing. Law enforcement agencies also need to enhance professionalism so that handling fraud cases becomes more effective and provides protection for victims. In addition, it is hoped that the judges will maintain their independence and objectivity in delivering verdicts by

considering justice, certainty, and the utility of the law. The recovery of the victim's losses also needs to be considered so that legal protection does not only focus on punishing the perpetrator.

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